

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO, WESTERN DIVISION**

GEARRON GRIFFIN,

Plaintiff,

v.

SUN CHEMICAL CORPORATION,
KIMBERLY CLARK, JOE CIONNI,
GAYLE WIRTHWINE, SCOTT CHASE,
JOHN ROZIER, MARTY SALYERS, AND
TONY ZWIRGDZAS,

Defendants.

x : Case No.: 1:10-cv-00744-SSB

: : Hon. Sandra S. Beckwith

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**JOINT DISCOVERY PLAN
RULE 26(f) REPORT**

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Now come all parties to this case, by and through their respective counsel, and hereby jointly submit to the Court this Joint Discovery Plan, pursuant to the Court's Pretrial Procedure Order. The parties conducted their discovery conference on April 14, 2011.

A. MAGISTRATE CONSENT

The Parties:

- unanimously consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. § 636 (c).
- do not unanimously consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. § 636 (c).
- unanimously give contingent consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. § 636 (c), for trial purposes only, in the event that the District Judge assigned is unavailable on the date set for trial (e.g. because of other trial settings, civil or criminal).

B. RULE 26(A) DISCLOSURES

- The parties have exchanged pre-discovery disclosures required by Rule 26(a)(1).
- The parties will exchange such disclosures by April 28, 2011.
- The parties are exempt from disclosures under Rule 26(a)(1)(E).

C. DISCOVERY ISSUES AND DATES

1. Discovery will need to be conducted on the issues of all Plaintiff's allegations and Defendants' defenses.
2. The parties recommend that discovery.
 - need not be bifurcated
 - should be bifurcated between liability and damages
 - should be bifurcated between factual and expert
 - should be limited in some fashion or focused upon particular issues which relate to _____
3. Disclosure and report of plaintiff's expert(s) by Wednesday, February 1, 2012.
4. Disclosure and report of defendants' expert(s) by Thursday, March 15, 2012.
5. Disclosure and report of rebuttal experts(s) by Monday, April 16, 2012.
6. Disclosure of Non-expert (fact) witnesses: April 28, 2011 (the date that the Parties exchange their Rule 26(a) disclosures. Disclosure of additional non-expert (fact) witnesses shall be made within a reasonable time as they become apparent to the offering party. However, all fact witness that a party plans to introduce in that party's Case-in-Chief (not rebuttal witnesses) must be disclosed no later than one (1) month prior to the close of discovery.
7. Discovery cutoff: Friday, June 15, 2012.

G. Anticipated discovery problems:

- See Section H below.
- None

D. LIMITATIONS ON DISCOVERY

1. Changes in the limitations on discovery
 - Extension of time limitations (currently one day of seven hours) in taking of depositions to _____.
 - Extension of number of depositions (currently 10) permitted to _____.
 - Extension of number of interrogatories (currently 25) to _____.
 - Other: _____.

None

E. PROTECTIVE ORDER

- A protective order will likely be submitted to the Court on or before April 28, 2011 as a Joint Proposed Confidentiality Order to protect from public disclosure any personal information, personnel files and proprietary information. The parties will negotiate said Stipulation and submit a Joint Proposed Confidentiality Order it to the Court in compliance with *Procter & Gamble Co. v. Bankers Trust Co.*, 78 F. 3d 219 (6th Cir. 1996).
- The parties currently do not anticipate the need for a protective order. If the parties subsequently deem that one is necessary, they will submit a joint proposed order to the Court. Such Order will be in compliance with *Procter & Gamble Co. v. Bankers Trust Co.*, 78 F. 3d 219 (6th Cir. 1996).

F. SETTLEMENT

A settlement demand ____ has has not been made.

A response ____ has ____ has not been made.

A demand can be made by _____.

A response can be made by _____.

G. MOTION DEADLINES

1. Motion to amend the pleadings and/or add parties by Tuesday, May 31, 2011.
2. Motions relative to the pleadings by Thursday, June 30, 2011.
3. Dispositive motions by Monday, August 15, 2012.

H. OTHER MATTERS PERTINENT TO MANAGEMENT OF THIS LITIGATION

The instant action may be related to an action styled *Sweidan v. Sun Chemical Corp., et al.*, 10-cv-0179 that is currently pending before The Honorable S. Arthur Spiegel.

Respectfully Submitted,

April 28, 2011

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